

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

AMERICAN MARITIME OFFICERS UNION,	)	
	)	
Plaintiff,	)	Case: 1:09-cv-02949
	)	
- against -	)	
	)	
H&M LAKE TRANSPORT, LTD.,	)	Judge: John F. Grady
	)	Magistrate: Maria Valdez
Defendant.	)	

**MOTION FOR DEFAULT JUDGMENT**

Plaintiff American Maritime Officers Union (“AMO”), by and through its attorneys, Joel C. Glanstein, of O’Donnell, Schwartz, Glanstein & Lilly, LLP, New York, N.Y. and Joel A. D’Alba and Margaret Angelucci, of Asher, Gittler, Greenfield & D’Alba, Ltd., Chicago, Ill., moves this Honorable Court for a Default Judgment on behalf of Plaintiff and against Defendant and in support states the following:

1. Plaintiff, American Maritime Officers Union filed the complaint against Defendant, H&M, on May 14, 2009, (Docket Entry No. 1).
2. The complaint was served on Defendant on May 17, 2009 as more fully stated on the Affidavit of Service. (Docket Entry No. 6).
3. Defendant’s Answer was due on June 8, 2009, (Docket Entry No. 6).
4. As of today’s filing, Defendant has failed to answer or otherwise defend the complaint.
5. Pursuant to Fed.R.Civ. P.55 Plaintiff moves for judgment in this matter. A proposed Judgment Order is attached as Attachment A.

WHEREFORE, Plaintiff, American Maritime Officers Union requests the following relief:

- a. That default be entered against Defendant, H&M Lake Transport, Ltd., and that the complaint filed be taken as confessed;
- b. Order Defendant H&M to comply with and abide by the final and binding arbitration award, ordering H&M Lake Transport, Ltd. to make the payments to AMO's members who have been adversely affected by Defendant's breach as follows:

Captain Clark King	\$ 9,412.00
Senior Mate Richard Deichelbor	\$ 5,500.00
Junior Mate John King	\$ 6,809.00
Relief Mate John Hanley	\$ 5,720.00
Relief Mate John Stewart	\$ 4,581.00
Chief Engineer Joseph Ravey	\$ 9,462.00
Relief Chief Brian Comstock	\$ 7,922.00
Assistant Engineer Donald Macdonald	<u>\$ 7,300.00</u>

Total: \$56,706.00

- c. That AMO be awarded its reasonable costs and attorneys fees incurred in this matter; and
- d. That the Company be directed to pay its share of the arbitrator's fees in this matter totaling \$300.00 or reimburse AMO for same if AMO advances the arbitrator the Company's share of the arbitrator's total fee of \$600.00; and
- e. That the Court grant such further relief, including, without limitation, declaratory relief, as the Court may deem just and proper.

Dated: June 9, 2009

Respectfully submitted,

ASHER, GITTLER, GREENFIELD &  
D'ALBA, LTD.  
200 W. Jackson Boulevard - Suite 1900  
Chicago, IL 60606  
Tel: (312) 263-1500  
Fax: (312) 263-1520  
Email: [maa@ulaw.com](mailto:maa@ulaw.com)  
By: /s/ Margaret Angelucci  
Margaret Angelucci

O'DONNELL, SCHWARTZ, GLANSTEIN  
& LILLY, LLP

60 East Forty Second Street - Suite 2240

New York, NY 10165

Tel: (212) 370-5100

Attorneys for Plaintiff

By: /s/ Joel C. Glanstein

Joel C. Glanstein (JCG 9362)